

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

07-CA-281800

Date Filed

August 23, 2021

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Skylabs LLC		b. Tel. No. (810) 687-8888
		c. Cell No. (989) 205-0360
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 9421 North Dort Highway MI Mount Morris 48458	e. Employer Representative Chad Wurtzel Owner/Licensee	g. e-Mail
		h. Number of workers employed 50
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare	j. Identify principal product or service Cannabis	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 3,1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)Aidan John Coffey Title: General Organizer
United Food and Commercial Workers International Union**4a. Address (Street and number, city, state, and ZIP code)**1775 K St NW, Washington
DC Washington DC 200064b. Tel. No.
(202) 223-31114c. Cell No.
(407) 493-4585

4d. Fax No.

4e. e-Mail
acoffey@ufcw.org**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**

United Food and Commercial Workers International Union

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By



(signature of representative or person making charge)

Aidan John Coffey
Title: General Organizer

(Print/type name and title or office, if any)

Tel. No.
(202) 223-3111Office, if any, Cell No.
(407) 493-4585

Fax No.

e-Mail
acoffey@ufcw.org

1775 K St NW, Washington

08/22/2021 06:58:49 PM
(date)

Address Washington DC DC 20006

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(3)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee discharged	Approximate date of discharge
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021

8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages and/or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee discharged	Approximate date of discharge
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021

8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee discharged	Approximate date of discharge
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021
(b) (6), (b) (7)(C)	(b) (6), (b) (7) /2021

8(a)(3)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	Suspension	(b) (6), (b) (7) /2021

8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	Isolation	(b) (6), (b) (7) /2021
(b) (6), (b) (7)(C)	Isolation	(b) (6), (b) (7) /2021

8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in

protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	Demoted & removed from work responsibilities	(b) (6), (b) (7) /2021
(b) (6), (b) (7)(C)	Demoted & removed from work responsibilities	(b) (6), (b) (7) /2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they joined or supported a union.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	07/16/2021
(b) (6), (b) (7)(C)	07/27/2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by engaging in surveillance or creating impression of surveillance of employees' union activities.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	07/22/2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by interrogating employees about their union activities.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	07/22/2021
(b) (6), (b) (7)(C)	07/27/2021

Additional Information in Support of Charge

Charging Party Name : Aidan John Coffey

Inquiry Number : (b) (6), (b) (7)(C)

Date Submitted : 08/22/2021 06:58:49 PM

Please provide a brief description of the specific conduct involved in your charge. The information you provide may be viewed by the charged party in the event of a formal proceeding, so PLEASE DO NOT GIVE A DETAILED ACCOUNT OF YOUR CHARGE OR A LIST OF POTENTIAL WITNESSES AT THIS TIME. A Board Agent will contact you to obtain this and other detailed information after your charge is docketed. After you submit this E-Filed Charge form, you will receive a confirmation email with an Inquiry Number (Sample Inquiry Number: 1-1234567890) and a link to the E-Filing web page. You may use the link and the Inquiry number provided in the email to e-file any additional documents you wish to present in support of your charge.

Additional Information Provided:

The workers at Skylab's medical & adult-use cannabis processing and manufacturing facility in Mount Morris, Michigan began an organizing campaign with the assistance of the UFCW International's Cannabis Workers Rising program. The workers at Skylabs campaigned for a union, and engaged in concerted activity to provide mutual aid and protection to their fellow workers, and press for improvements in wages and working conditions. After management became aware of the organizing campaign, management launched a systematic and targeted campaign of isolation, interrogation, intimidation, spying and retaliation against workers engaged in said concerted activity to organize and provide mutual aid and protection. Management's campaign culminated in the suspension and termination of two employees engaged in concerted activity and union campaigning after they had been demoted and removed from their previous work responsibilities for continuing to speak to their coworkers regarding wages and working conditions.

From: [Drzyzga, Robert](#)
To: chad@skylabsmich.com
Subject: Skylabs ULP Charge
Date: Monday, August 23, 2021 12:52:00 PM

Mr. Wurtzel, thanks for taking my call today. As discussed I've been assigned to investigate a charge filed by United Food and Commercial Workers alleging Skylabs retaliated against employees who were trying to organize a union. You should receive a copy of the charge in the mail within a week.

I will contact you after I meet with the union and gather evidence on their allegations, and allow you and your counsel a chance to respond.

Please note that this case involves allegations related to a union organizing campaign, and if the Regional Director finds merit to the allegations ***Section 10(j) injunctive relief may be sought as a remedy. Accordingly, I am requesting that you, or your legal counsel, provide your position on the appropriateness of section 10 (j) relief in this case with your response to the allegations.***

I also request that you preserve evidence in this case as it relates to any potential allegations, including but not limited to the videos you discussed today regarding the altercation that led to two employees' recent suspensions. You indicated that you were aware of the organizing campaign and two employees who had opposite views of the union had an altercation that was caught on video. I request you provide that video tape (with accompanying audio) in your response.

If you or your legal counsel have any questions I can be reached at 313 335-8052, 202 374-1898 or by email.

TY for your time today. Robert Drzyzga,, NLRB

From: [Aidan Coffey](#)
To: [Drzyzga, Robert](#)
Subject: Re: I will also need your position on the appropriateness of section 10 j injunctive relief
Date: Tuesday, August 24, 2021 2:55:30 PM

Driving can send you information tonight

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From: Aidan Coffey <acoffey@ufcw.org>
Sent: Tuesday, August 24, 2021 2:55:03 PM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: Re: I will also need your position on the appropriateness of section 10 j injunctive relief

Appropriate. They continue to commit charges

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Tuesday, August 24, 2021 1:57:19 PM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: I will also need your position on the appropriateness of section 10 j injunctive relief



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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August 24, 2021

Chad Wurtzel, Owner/Licensee
Skylabs LLC
9421 North Dort Highway
Mount Morris, MI 48458

Re: Skylabs LLC
Case 07-CA-281800

Dear Mr. Wurtzel:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If this Board agent is not available, you may contact Supervisory Field Attorney ANDREW M. MacEachern whose telephone number is (313)335-8032.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether

or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Dennis R. Boren". The signature is fluid and cursive, with the first name "Dennis" being the most prominent part.

Dennis R. Boren
Acting Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 07-CA-281800
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1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:

7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES _____)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
------	-------	----------------	-------------

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SKYLABS LLC

Charged Party

and

**UNITED FOOD AND COMMERCIAL
WORKERS INTERNATIONAL UNION (UFCW)**

Charging Party

Case 07-CA-281800

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 24, 2021, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Chad Wurtzel, Owner/Licensee
Skylabs LLC
9421 North Dort Highway
Mount Morris, MI 48458

August 24, 2021

Date

Linda Davis, Designated Agent of NLRB

Name

/s/Linda Davis

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



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August 24, 2021

Aidan John Coffey, General Organizer
United Food and Commercial Workers International Union (UFCW)
1775 K Street NW, Washington
Washington DC, DC 20006

Re: Skylabs LLC
Case 07-CA-281800

Dear Mr. Coffey:

The charge that you filed in this case on August 23, 2021 has been docketed as case number 07-CA-281800. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Robert Drzyzga whose telephone number is (313)335-8052. If this Board agent is not available, you may contact Supervisory Field Attorney Andrew M. MacEachern whose telephone number is (313)335-8032.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Dennis R. Boren". The signature is written in a cursive style with a large, stylized initial "D".

Dennis R. Boren
Acting Regional Director

From: [Drzyzga, Robert](#)
To: [Aidan Coffey](#)
Subject: Re: Request for information Skylabs Charge 07-CA-281800
Date: Tuesday, August 31, 2021 7:16:54 AM

Sure. By Friday

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From: Aidan Coffey <acoffey@ufcw.org>
Sent: Tuesday, August 31, 2021 6:59:39 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: Re: Request for information Skylabs Charge 07-CA-281800

Robert,

Waiting on getting a document back from an attorney. Everyone (except me) is on vacation right now. Would it be possible to have an extra day or two on the electronic submission?

Regards
Aidan Coffey

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Tuesday, August 24, 2021 1:55:44 PM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: Request for information Skylabs Charge 07-CA-281800

Mr. Coffey, thanks for taking my call today. I've been assigned to investigate the charge you filed. I am requesting the following information no later than August 31, 2021 via the electronic filing system **except as noted below:**

-Names, Phone numbers and email addresses for all of your witnesses, and their (your) availability (date/time) in the next 30 days to give a statement.

-A brief summary of each witness' testimony (Specific allegations you are presenting each witness to testify to).

-A chronology of events beginning with the first contact the UFCW had with Skylab employees to the present.

-A copy of any signature cards you have. **DO NOT EFILE THE SIGNATURE CARDS. Send these to me by email.**

-Case numbers of any related cases you filed. Also identify the total number of employees working at the facility and the job classifications, and number of employees in each classification in the unit you are attempting to organize.

-A copy of any Employer organization chart in your possession.

-All documents exchanged between the UFCW and the Employer re the organizing campaign. This includes emails, text messages and letters.

-All documents exchanged between the UFCW and the Skylab employees re the organizing campaign. This includes emails, text messages and letters.

-Sign in sheets for any organizational meetings held with Skylab employees

-Any leaflets distributed to Skylab employees by the Union.

-Any other union insignia distributed to EEs (shirts, button etc.)

-A copy of the Employer's handbook or any other work rules, policies or procedures applicable to the allegations (e.g. Standards of conduct, work rules, progressive discipline policies. If performance issues are raised the applicable procedure documenting the standard that was allegedly violated),.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

AIDAN JOHN COFFEY
and
SKYLABS LLC

CASE 07-CA-281800

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF

SKYLABS LLC

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: DONALD A. VAN SUIJLICHEM

MAILING ADDRESS: 40900 COODWARDS AVE, SUITE 111
BLOOMFIELD HILLS, MI. 48304

E-MAIL ADDRESS: dvs@LAWYER@dvsemploymentlaw.com

OFFICE TELEPHONE NUMBER: 248.644.2419

CELL PHONE NUMBER: 248-225-9123 FAX: 248-644-3963

SIGNATURE:

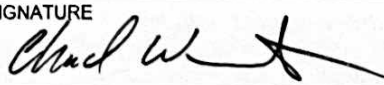
(Please sign in ink.)

DATE: AUGUST 31, 2021

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD
QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully. Answer all applicable items and return to the Regional Office. If additional space is required, use plain bond paper and identify item number.

CASE NAME Skylabs LLC		CASE NUMBER 07-CA-281800				
1. TYPE OF BUSINESS <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE PROPRIETORSHIP						
2. CLASSIFICATION WHICH DESCRIBES YOUR BUSINESS <table border="0"><tr><td><input type="checkbox"/> WHOLESALE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> TRUCKING <input type="checkbox"/> TRANSIT SYSTEM</td><td><input type="checkbox"/> NEWSPAPER <input type="checkbox"/> HOTEL - MOTEL <input type="checkbox"/> PUBLIC UTILITY <input type="checkbox"/> BUILDING AND CONSTRUCTION</td><td><input checked="" type="checkbox"/> OFFICE OF INDUSTRIAL BUILDING <input type="checkbox"/> MANUFACTURING/PROCESSING <input type="checkbox"/> BROADCASTING STATION <input type="checkbox"/> OTHER (Describe)</td><td><input type="checkbox"/> RETAIL <input type="checkbox"/> SERVICE ORGANIZATION <input type="checkbox"/> NURSING HOME</td></tr></table>			<input type="checkbox"/> WHOLESALE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> TRUCKING <input type="checkbox"/> TRANSIT SYSTEM	<input type="checkbox"/> NEWSPAPER <input type="checkbox"/> HOTEL - MOTEL <input type="checkbox"/> PUBLIC UTILITY <input type="checkbox"/> BUILDING AND CONSTRUCTION	<input checked="" type="checkbox"/> OFFICE OF INDUSTRIAL BUILDING <input type="checkbox"/> MANUFACTURING/PROCESSING <input type="checkbox"/> BROADCASTING STATION <input type="checkbox"/> OTHER (Describe)	<input type="checkbox"/> RETAIL <input type="checkbox"/> SERVICE ORGANIZATION <input type="checkbox"/> NURSING HOME
<input type="checkbox"/> WHOLESALE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> TRUCKING <input type="checkbox"/> TRANSIT SYSTEM	<input type="checkbox"/> NEWSPAPER <input type="checkbox"/> HOTEL - MOTEL <input type="checkbox"/> PUBLIC UTILITY <input type="checkbox"/> BUILDING AND CONSTRUCTION	<input checked="" type="checkbox"/> OFFICE OF INDUSTRIAL BUILDING <input type="checkbox"/> MANUFACTURING/PROCESSING <input type="checkbox"/> BROADCASTING STATION <input type="checkbox"/> OTHER (Describe)	<input type="checkbox"/> RETAIL <input type="checkbox"/> SERVICE ORGANIZATION <input type="checkbox"/> NURSING HOME			
3. EXACT LEGAL TITLE OF FIRM Sky Labs, LLC						
4. IF A CORPORATION A. INCORPORATED IN STATE OF: MICH B. NAME(s) AND ADDRESS(es) OF PARENT, SUBSIDIARY, OR RELATED CORPORATION, IF ANY, AND DESCRIBE RELATIONSHIP.						
5. IF A PARTNERSHIP FULL NAME AND COMPLETE ADDRESS OF ALL PARTNERS.						
6. IF A PROPRIETORSHIP FULL NAME AND COMPLETE ADDRESS OF PROPRIETOR.						
7. BRIEFLY DESCRIBE THE NATURE OF YOUR BUSINESS (General products handled or manufactured, or nature of services performed). Processing of marijuana products.						
8. PRINCIPAL PLACE OF BUSINESS LOCATED AT: 9421 North Dort Hwy., Mt. Morris, MI 48458		BRANCH(es) LOCATED AT:				
9. NUMBER OF PERSONNEL PRESENTLY EMPLOYED BY YOUR FIRM A. TOTAL 38 employees plus 6 laid off B. AT THE ADDRESS INVOLVED IN THIS PROCEEDING. 38 employees plus 6 laid off						
10. DURING THE PAST <input type="checkbox"/> CALENDAR, <input type="checkbox"/> FISCAL YEAR (If Fiscal Year indicate dates) OR <input type="checkbox"/> LAST 12 MONTHS (Check appropriate box):						
A. DID GROSS REVENUE FROM SALES OR PERFORMANCE OF SERVICES DIRECTLY TO CUSTOMERS OUTSIDE THE STATE EXCEED \$50,000 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$				
B. DID GROSS AMOUNT OF PURCHASES OF MATERIALS OR SERVICES DIRECTLY FROM OUTSIDE THE STATE EXCEED \$50,000 <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$				
C. DID GROSS REVENUE FROM YOUR SALES OR PERFORMANCE OF SERVICES EQUAL OR EXCEED \$50,000 TO FIRMS WHICH DIRECTLY MADE SALES TO CUSTOMERS OUTSIDE THE STATE AND/OR TO CUSTOMERS WHICH MADE PURCHASES FROM DIRECTLY OUTSIDE THE STATE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$				
D. IF THE ANSWER TO 10(c) IS NO, DID GROSS REVENUE FROM SALES OR PERFORMANCE OF SERVICES EQUAL OR EXCEED \$50,000 TO PUBLIC UTILITIES, TRANSIT SYSTEMS, NEWSPAPERS, HEALTH CARE INSTITUTIONS, BROADCASTING STATIONS, COMMERCIAL BUILDINGS, EDUCATIONAL INSTITUTIONS AND/OR RETAIL CONCERNS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$				
E. DID GROSS AMOUNT OF YOUR PURCHASES EQUAL OR EXCEED \$50,000 FROM FIRMS WHICH IN TURN, PURCHASED THOSE GOODS DIRECTLY FROM OUTSIDE THE STATE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF LESS THAN \$50,000 INDICATE AMOUNT		\$				
F. GROSS REVENUE FROM ALL SALES OR PERFORMANCE OF SERVICES (Check largest amount which firm equaled or exceeded): <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$200,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input checked="" type="checkbox"/> \$1,000,000 IF LESS THAN \$100,000 INDICATE AMOUNT		\$				
11. ARE YOU A MEMBER OF, OR PARTICIPATE IN, AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If yes, give Name and Address of association or group).						
12. DID FIRM PERFORM NATIONAL DEFENSE WORK DURING THE PERIOD INDICATED IN 10 ABOVE? (If Yes, amount of dollar volume and name(s) and address(es) for whom work was performed).		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO \$				
13. PROVIDE NAME & TITLE OF YOUR REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION CONCERNING THE OPERATIONS OF YOUR BUSINESS						
NAME Chad Wurtzel	TITLE Owner	TELEPHONE NUMBER 989-205-0360				
SIGNATURE OR AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE						
NAME AND TITLE (Type or Print) Chad Wurtzel	SIGNATURE 	DATE 9/1/21				

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

From: [Drzyzga, Robert](#)
To: [Aidan Coffey](#)
Subject: Re: When will you provide the information I requested for Sky labs?
Date: Wednesday, September 8, 2021 9:29:22 AM

Let me know as soon as possible

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From: Aidan Coffey <acoffey@ufcw.org>
Sent: Wednesday, September 8, 2021 9:28:23 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: Re: When will you provide the information I requested for Sky labs?

Robert,

Excuse the delay. I am leaving this organization and taking a position somewhere else. I have been trying to find someone at the local or the international to take over this case but have had no success.

Speaking to the workers later today. Unless they are interested in taking this on themselves we will have to withdraw the charges

Aidan

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Tuesday, September 7, 2021 8:48:02 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: When will you provide the information I requested for Sky labs?

From: [Aidan Coffey](#)
To: [Drzyzga, Robert](#)
Subject: Re: Sky Labs Case
Date: Friday, September 10, 2021 11:51:47 AM

No different company

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Friday, September 10, 2021 11:50:47 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: Re: Sky Labs Case

Employment with sky labs?

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From: Aidan Coffey <acoffey@ufcw.org>
Sent: Friday, September 10, 2021 10:46:37 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: Re: Sky Labs Case

Robert,

Yes - charges are going to be withdrawn this afternoon. The workers in question found other employment and were no longer interested in continuing the charges.

Aidan

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Thursday, September 9, 2021 12:29:24 PM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: Sky Labs Case

The Employer called today and said you told him you would be withdrawing the charge. Is this true? If so when can I expect the withdrawal? If a settlement is involved I'll need to know the details of the settlement agreement, and the contact numbers and names of those receiving a remedy.

From: [Aidan Coffey](#)
To: [Drzyzga, Robert](#)
Subject: Re: Status of Case
Date: Monday, September 13, 2021 8:14:20 AM

Today

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Monday, September 13, 2021 6:35:49 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: Status of Case

Mr. Coffey, you indicated that you would be withdrawing the charge in Skylabs LLC. When will you submit your withdrawal?

From: [Drzyzga, Robert](#)
To: [Aidan Coffey](#)
Subject: FW: Status of Case
Date: Thursday, September 16, 2021 4:23:00 PM

Sir, where is the information I requested below?

From: Drzyzga, Robert
Sent: Tuesday, September 14, 2021 11:58 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: RE: Status of Case

Sir, where is the information requested below?

From: Aidan Coffey <acoffey@ufcw.org>
Sent: Monday, September 13, 2021 11:41 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: Re: Status of Case

Sounds good will have that to you this afternoon

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From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Monday, September 13, 2021 11:27:42 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: RE: Status of Case

I spoke to management. First, management requests a **handwritten** signature on the form with a date.

Second, management requests the contact information of the discriminatees so we can confirm their position on the withdrawal. So I am requesting the phone numbers, home addresses and email addresses of the following individuals:

(b) (6), (b) (7)(C)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Questions let me know. Email or by phone at 313 335-8052 or 202 374-1898

From: Aidan Coffey <acoffey@ufcw.org>
Sent: Monday, September 13, 2021 10:52 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>

Subject: RE: Status of Case

Robert,

Please find withdrawal attached. Had some formatting issues but please let me know if this works.

Aidan.

From: Drzyzga, Robert <Robert.Drzyzga@nrlrb.gov>

Sent: Monday, September 13, 2021 5:36 AM

To: Aidan Coffey <acoffey@ufcw.org>

Subject: Status of Case

Mr. Coffey, you indicated that you would be withdrawing the charge in Skylabs LLC. When will you submit your withdrawal?

From: [Donald A Van Suilichem](#)
To: [Drzyzga, Robert](#)
Subject: SkyLabs
Date: Friday, September 17, 2021 11:15:55 AM

Good Morning Bob:

Here are the contacts for the two employees identified in the Charge who were laid off in (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Please let know if you need any further information.

DONALD A. VAN SUILICHEM
Van Suilichem & Associates, P.C.
40900 Woodward Ave.
Suite 111
Bloomfield Hills, Michigan 48304

Direct: 248-644-2419
Fax: 248-644-3963
Cell: 248-225-9123

“Every sunset brings the promise of a new dawn.” – [Ralph Waldo Emerson](#)

From: [Aidan Coffey](#)
To: [Drzyzga, Robert](#)
Subject: RE: Skylabs
Date: Thursday, September 23, 2021 1:08:27 PM
Attachments: [NLRB Withdrawal September 23rd.pdf](#)

Robert,

(b) (6). Please find it attached. I hope this works. I've included the information requested below to the best of my ability. Management will likely have the rest.

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C).

Please let me know if this works
Aidan.

From: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Sent: Thursday, September 23, 2021 7:34 AM
To: Aidan Coffey <acoffey@ufcw.org>
Subject: Skylabs

Mr Coffey, (b) (6).

I request that you submit your signed/dated withdrawal request today.

Questions let me know.

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

WITHDRAWAL REQUEST

In the matter of Skylabs 07-CA-281800
(Name of case) (Number of case)

This is to request withdrawal of the (petition) (charge) in the above case.

Withdrawal request approved

~~Aidan Coffey~~ UFCW
(Name of Party Filing)
By Aidan Coffey
(Name of Representative)
organizer
(Title)

Date 9/23/2021

(Date)

Regional Director,
National Labor Relations Board.

*U.S. GPO: 2000-464-641/29073

From: [Drzyzga, Robert](#)
To: [Donald A Van Suilichem](#)
Subject: Re: SkyLabs
Date: Friday, September 24, 2021 1:25:48 PM

Ok. I thought (b) (6) was a discriminates. My mistake I apologize.

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From: Donald A Van Suilichem <dvslawyer@dvsemploymentlaw.com>
Sent: Friday, September 24, 2021 11:33:59 AM
To: Drzyzga, Robert <Robert.Drzyzga@nlrb.gov>
Subject: SkyLabs

Good Morning Bob:

I understand that you or someone else contacted (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) for SkyLabs and is alleged to have committed the ULP in July 2021. If you would like to take a statement from (b) (6), (b) (7)(C) I would request to be present.

Thanks

DONALD A. VAN SUILICHEM
Van Suilichem & Associates, P.C.
40900 Woodward Ave.
Suite 111
Bloomfield Hills, Michigan 48304

Direct: 248-644-2419
Fax: 248-644-3963
Cell: 248-225-9123

“Every sunset brings the promise of a new dawn.” – [Ralph Waldo Emerson](#)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlrb.gov
Telephone: (313)226-3200
Fax: (313)226-2090

October 4, 2021

Donald A. Suilichem, Esq.
Van Suilichem & Associates PC
40900 Woodward Avenue, Suite 111
Bloomfield Hills, MI 48304

Re: Skylabs LLC
Case 07-CA-281800

Dear Mr. Suilichem:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Elizabeth Kerwin
Acting Regional Director

RD/cak

cc: Mr. Chad Wurtzel, Owner/Licensee
Skylabs LLC
9421 North Dort Highway
Mount Morris, MI 48458

Mr. Aidan John Coffey, General
Organizer
United Food and Commercial Workers
International Union (UFCW)
1775 K St NW, Washington
Washington DC, DC 20006